



# United States Department of the Interior

BUREAU OF OCEAN ENERGY MANAGEMENT  
WASHINGTON, DC 20240-0001

Mr. William White  
President and Chief Executive Officer – Offshore  
Avangrid Renewables, LLC  
125 High Street, 6<sup>th</sup> Floor  
Boston, Massachusetts 02110

Dear Mr. White:

I am writing on behalf of the Bureau of Ocean Energy Management (BOEM), Office of Renewable Energy Programs, regarding Kitty Hawk Wind, LLC's (Kitty Hawk) regulatory departure request submitted by letter dated April 14, 2022, pursuant to 30 C.F.R. § 585.103. Concurrently with this request, Kitty Hawk separately submitted its Construction and Operations Plan (COP) for the Kitty Hawk South Offshore Wind Project (Project) to BOEM.

Kitty Hawk requests a regulatory departure from BOEM's regulations at 30 C.F.R. § 585.626(a)(4)(ii), which require the submittal of in situ testing, boring, and sampling at each foundation location, to examine all important sediment and rock strata to determine its strength classification, deformation properties, and dynamic characteristics as part of its COP. Instead, Kitty Hawk proposes to submit the required geotechnical information at each foundation location with the Facility Design Report (FDR), in accordance with 30 C.F.R. § 585.701(a)(6)(iii). With the departure request and COP, Kitty Hawk submitted a three-dimensional ground model and pile drivability analysis and noted that an updated ground model will be submitted to BOEM as part of a supplemental filing in December 2023.

BOEM's review of the departure request and information provided indicates that Kitty Hawk presented an acceptable preliminary ground model, risk assessment of geologic hazards, and a pile drivability analysis. The ground model is sufficient to allow a demonstration of the feasibility of the proposed foundations to support the proposed offshore wind farm components. BOEM has reviewed Kitty Hawk Wind's request to submit the geotechnical information required by 30 CFR § 585.626(a)(4)(ii) with the FDR and has determined to grant the departure from the regulation; however, the outstanding geotechnical information must be submitted 60 days prior to submission of the FDR, and not with submission of the FDR.

BOEM finds that the requested departure would facilitate appropriate lease activities, in accordance with 30 C.F.R. § 585.103(a)(1), because it would provide Kitty Hawk with flexibility in Project siting as additional geotechnical testing and analyses are conducted and incorporated into appropriate reports without delaying BOEM's review of the COP. BOEM finds the reports, the data interpretation, and the analyses currently available to be of adequate quality to inform its analysis of the COP at this stage.

Finally, approval of the departure would not increase the likelihood of adverse impacts to the environment, sites of historical or archeological significance, or affect public health or safety, as sufficient geotechnical and geophysical information will be available to BOEM for inclusion in its environmental review of the COP. Also, approval of the departure relates to information submittal requirements only applicable to the lessee and, thus, will not impair the rights of third parties or uses on the Outer Continental Shelf. The requested departure is also consistent with subsection 8(p)(4) of the Outer Continental Shelf Lands Act, 43 U.S.C. §1337(p)(4), as all protections of safety, environment, and natural resources are maintained to the same degree as if there was no departure from the regulations.

Therefore, BOEM approves Kitty Hawk's request to depart from the requirements in 30 CFR § 585.626(a)(4)(ii) for the Project on lease OCS-A 0508 necessitating submittal of the outstanding geotechnical information 60 days prior to submission of the FDR. If there are any questions, please contact John Stokely at [john.stokely@boem.gov](mailto:john.stokely@boem.gov) or (571) 585-1933.

Sincerely,

Karen J. Baker  
Chief  
Office of Renewable Energy Programs

cc: Amanda Mayhew  
Avangrid Renewables, LLC

Megan Higgins  
Avangrid Renewables, LLC